

Cumberland County Development Company, LLC

Rezoning and CUP Application Package

TABLE OF CONTENTS

I. APPLICATION FORMS AND RELATED EXHIBITS

- A. Rezoning Application Form (with attachments)**
- B. Conditional Use Application Form (with attachments)**
- C. Exhibits to Rezoning and Conditional Use Permit Applications**
 - i. Exhibit A – Overview**
 - ii. Exhibit B – Economic Impacts and Benefits to Cumberland County**
 - iii. Exhibit C – Required Conditions of CUP**

II. PLANS, PROCEDURES AND STANDARDS

- A. Waste Acceptance / Load Checking Procedures**
- B. Transport Plan**
- C. Buffer Zone Plan**
- D. Recycling Plan**
- E. Groundwater Monitoring Plan**
- F. Emergency Response Plan/Firefighting Arrangements**
- G. Post-Closure Plan**
- H. Plan for Access, Litter, Dust, Noise, Odors and Vectors**
- I. Methane Monitoring Plan**
- J. Stormwater Management and Erosion Control Plan**
- K. Staffing and Equipment Plan**
- L. Cover Plan**

III. FIGURES

- A. Figure 1 – Subject Property and Existing Features**
- B. Figure 2 – Property to be Rezoned and subject to CUP**
- C. Figure 3 – Conceptual Facility Plan**

IV. MAPS

- A. Regional Location Map**
- B. County Location Map**
- C. Adjacent Property Owner Map**
- D. Zoning Map**

County of Cumberland
Planning and Zoning
Application for Change of Zoning Classification
(Conditional Use Permit, Variance, **Rezoning**, Amendment)

Application # _____
Date Filed: _____

1. Description of Request:

Rezone from **A-2** to **M-2**

Conditional Use Permit for N/A

Variance to Zoning Ordinance (explain) N/A

2. Name of Applicant: Cumberland County Development Company, LLC

Address: 2490 Charles City Road
Richmond, VA 23231

Phone: 804-622-4182

Name of Owner (if different from Applicant): See attached List of Owners/Contract Purchasers and Property Information

Address: See attached List of Owners/Contract Purchasers and Property Information

Phone: See attached List of Owners/Contract Purchasers and Property Information

3. Location of Property (attach plat in 1" – 100' scale) – Due to size of areas to be rezoned, it is impractical to attach this size plat to application. Larger scale drawings can be provided when detailed site plans are submitted.

Tax map and parcel #: See attached List of Owners/Contract Purchasers and Property Information

Magisterial District: _____

Public Road Access: _____

Owner of Record: _____

Deed Book _____ Plat Book _____ Date Acquired _____

Acreage of Property _____ Acreage for Rezoning _____

Are there any deed restrictions? Yes _____ No _____

If "yes" attach copy of deed restriction.

Date restrictions expire: _____

4. Describe briefly the existing use and structures on the property.

The subject parcels are currently zoned A-2 (agricultural) and are primarily used for growing and harvesting timber. Previous land uses are unknown but may have included farming. There are no structures currently located on the subject parcels.

5. Explain and describe fully the *proposed* use, improvements, development, and operation program of the property. State whether new buildings or structures are to be used or additions made to existing building structures.

See Exhibit "A", "B" and "C"

6. Describe the reason for the requested change.

See Exhibit "A", "B" and "C"

7. State how this request will be materially detrimental to adjacent property, the surrounding neighborhood or Cumberland County in general. Explain what protections will be offered to protect neighboring properties and the surrounding area. Include, where applicable, information concerning: use of public utilities; effect of request on public schools; effect on traffic, to include means of access to nearest public road; effect on existing and future area development; and effect on economy.

See Exhibit "A", "B" and "C", as well as Plans, Procedures and Standards contained in this application package.

8. Does this property already have an existing conditional use permit, special exception, or variance? If so, please provide case numbers for prior change of zoning and other pertinent information.

No. The property is zoned A-2 (agricultural) with no use permit, special exception or variance.

9. Is the property or any portion of the property within the 100 year flood plain?

There is no portion of the 100 year flood plain within that area of the property which the applicant is seeking to rezone.

10. Please provide a complete list of all property owners adjacent, across the road or highway from the property and across any railroad right-of-way, creek or river.

Property Owner	Mailing Address	Tax Map Number(s)
John Hancock Mutual Life Ins. Co.	13950 Ballantyne Cor Suite 150, Charlotte, NC 28277	51-A-13 59-A-2
Gary L. Saunders	9715 Ground Hog Drive, Richmond, VA 23235	59-2-D
Howard L. and Barbara R. Roquet	11300 Shorecrest Lane, Chesterfield, VA 23838	59-2-C
Herbert Spencer and Wife	4926A Lauderdale Avenue, Virginia Beach, VA 23455	59-A-37
Herbert Spencer	4926A Lauderdale Avenue, Virginia Beach, VA 23455	59-A-38
James Littleton Spencer, et al.	4142 Batavia Place, Denver, CO 80220	59-A-39
Esther B. Boley	757 Frenchs Store Road, Cumberland, VA 23040	59-A-40, 59-A-40A
Mary Jane and James Keeter	740 Frenchs Store Road, Cumberland, VA 23040	60-A-13
Charles M and Kim P Taylor	2818 Spencerwood Drive, Powhatan, VA 23139	60-1-5
Henry F. Marano, III and Shirley A. Marano	3419 Seven Oaks Road, Midlothian, VA 23112	60-1-9
Richard E. Saunders Corporation	482 Frenchs Store Road, Cumberland, VA 23040	52-A-24
KPR Properties of VA LLC	P.O. Box 35542, Richmond, VA 23235	52-A-25
Dennis R. Wyllie	7502 Tanglewood Drive, Mechanicsville, VA 23111	60-1-12
American Timberland, LLC	260 Peachtree Street Suite 1800, Atlanta, GA, 30303	51-A-16
American Timberland, LLC	260 Peachtree Street Suite 1800, Atlanta, GA, 30303	52-A-26
Obscurity Land Development, LLC	2490 Charles City Road Richmond, VA 23231	60-1-3, 60-1-4, 60-1-10 60-1-11, 60-1-13
Curtis Franklin Marion	663 Anderson Highway, Cumberland, VA 23040	51-A-14A

11. Requirements and instructions for filing plans for Change of Zoning includes the following, which shall be submitted by the applicant:

- a. This application form must be filled out completely, with full answers to every statement and question. The application may be signed by an agent or attorney or by his lessee, owner, or owners before a Notary Public in the space provided on the final page.
- b. Furnish a complete plan for the requested change to the property. This plan shall consist of the following:
 1. Plot plan or survey plat showing the dimensions of the property, drawn to an appropriate scale, for which request is being made. (See Figure 2)
 2. Location and dimensions of existing structure, rights-of-way, easements, boundaries, water courses, lakes, off-street parking, loading space, landscaping, etc. (See Figure 1)
 3. Location and dimensions of proposed development, including structures, types of uses, access drives, setbacks, and easements, etc. (Figures 2 and 3)
 4. Locations and dimension of proposed recreational areas and buffer zones, if required. (See Figure 3)
 5. Location and size of water, sewer, and drainage facilities, if applicable. (Not Applicable)
 6. In the case of residential developments – proposed number of dwelling units and net acres available for building. (Not Applicable)
 7. In the case of commercial and industrial developments – proposed off-street parking and loading areas, signage, outdoor lighting and buffers and screening. (See Figure 3)
- c. The application fee required by Section 19.1 of the Zoning Ordinance is five hundred and fifty dollars (\$550.00). This fee must be paid at the time of filing the application. Make checks payable to the “County of Cumberland.”
- d. Photographs of the property, not over 8 ½ X 11 inches, are always helpful and are encouraged as exhibits with this application.

Please return the completed application, notarized statement for validity of information, supporting materials and application fee to:

Catherine Kahl, Planner/Zoning Administrator
Planning and Zoning
Cumberland County
P.O. Box 110
Cumberland, VA 23040

STATEMENT FOR VALIDITY OF INFORMATION
Rezoning Application

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
County of Cumberland

I, James Zieche, on behalf of Cumberland County Development Company, LLC (CCDC), being duly sworn, depose and say that CCDC is the owner or contract purchaser of the property involved in the application, or has otherwise received authorization from the owner or contract purchaser. Attached to this application form is a List of Owners/Contract Purchasers and Property Information as well as a written certification from the owner(s) and/or contract purchaser(s) granting CCDC the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and the foregoing statements and answers provided herein are in all respects true and correct to the best of my knowledge and belief.

Signed: James H. Zieche
James Zieche, Vice-President of Cumberland County Development Company, LLC

Mailing Address of Applicant:

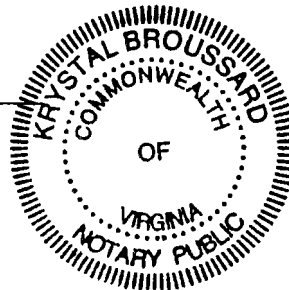
Cumberland County Development Company, LLC
2490 Charles City Road
Richmond, VA 23231

804-622-4182
Phone

Subscribed and Sworn to before me on this 28th day of July 2006,
2006.

Krystal Broussard
Notary Public

My Commission Expires: 7/31/09



WRITTEN CERTIFICATION
Rezoning Application

State of Virginia
City/County of Richmond

I, James Zieche, on behalf of Obscurity Land Development, LLC, being duly sworn, depose and say that Obscurity Land Development is the owner or contract purchaser of certain property involved in the application, has reviewed the application and hereby consents to the filing and pursuit of the application.

Signed: _____

James Zieche, Vice President of Obscurity Land Development, LLC

Mailing Address:

Obscurity Land Development, LLC
2490 Charles City Road
Richmond, VA 23231

804-622-4182

Phone

Subscribed and Sworn to before me on this 28th day of July 2006,
2006.

Krystal Broussard
Notary Public

My Commission Expires: 7/31/09



WRITTEN CERTIFICATION
Rezoning Application

State of Georgia
City/County of Gulton

I, Joyce Nugley on behalf of American Timberland, LLC, being duly sworn, depose and say that American Timberland, LLC is the owner of certain property involved in the application, has reviewed the application and hereby consents to the filing and pursuit of the application.

Signed: Joyce Nugley
Senior Vice President, Regions Bank, Manager of American Timberland, LLC

Mailing Address:

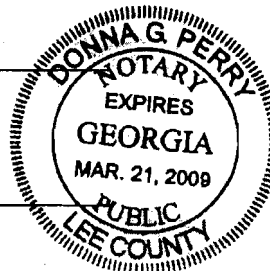
American Timberland, LLC
260 Peachtree Street, Suite 1800
Atlanta, GA 30303

404-581-3731
Phone

Subscribed and Sworn to before me on this 28th day of July, 2006.

Donna G. Perry
Notary Public

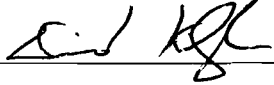
My Commission Expires: 3-21-09



WRITTEN CERTIFICATION
Rezoning Application

State of North Carolina
City/County of Mecklenburg

I, David Kimbrough on behalf of John Hancock Mutual Life Ins. Co., being duly sworn, depose and say that John Hancock Mutual Life Ins. Co. is the owner of certain property involved in the application, has reviewed the application, supports the application and hereby consents to the filing and pursuit of the application.

Signed:  **W. David Kimbrough**
Manager, Land Sales and Asset Evaluation
_____, _____ of John Hancock Mutual Life Ins. Co.

Mailing Address:

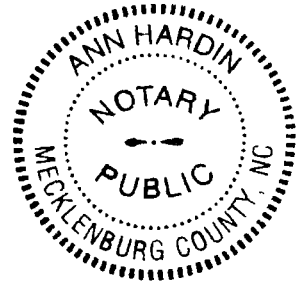
John Hancock Mutual Life Ins. Co.
~~13925 Ballantyne Cor~~ 13950 Ballantyne Corporate Place
Suite ~~220~~ 150
Charlotte, NC 28277-3162

704-540-4102
Phone

Subscribed and Sworn to before me on this 19th day of July,
2006.


Notary Public

My Commission Expires: March 27, 2007



LIST OF OWNERS/CONTRACT PURCHASERS AND PROPERTY INFORMATION

Cumberland County Development Company, LLC
2490 Charles City Road
Richmond, VA 23231

Owner of the following parcels:

Tax map and parcel #: 59-A-3
Magisterial District: Madison
Public Road Access: none
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061313 Date Acquired 7/12/06
Acreage of Property 66 +/- Acreage for Rezoning 58 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-6
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 21 +/- Acreage for Rezoning 13 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-7
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 22 +/- Acreage for Rezoning 21 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-8
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 23 +/- Acreage for Rezoning 14 +/-
Are there any deed restrictions? None restricting proposed development

Contract Purchaser of the following parcel:

Tax map and parcel #: 59-A-4
Magisterial District: Madison
Public Road Access: Goshen Road
Owner of Record: John Hancock Mutual Life Insurance Company
Deed Book 236 page 1 Date Acquired 9-14-99
Acreage of Property 194 +/- Acreage for Rezoning 194 +/-
Are there any deed restrictions? None restricting proposed development

Obscurity Land Development, LLC
2490 Charles City Road
Richmond, VA 23231

Contract purchaser of the following parcel:

Tax map and parcel #: 51-A-14
Magisterial District: Madison
Public Road Access: none
Owner of Record: American Timberland, LLC
Deed Book 232, page 658 Date Acquired 5-18-99
Acreage of Property 509 +/- Acreage for Rezoning 245 +/-
Are there any deed restrictions? None restricting proposed development

American Timberland, LLC
260 Peachtree Street
Suite 1800
Atlanta, GA 30303

Owner of the following parcel:

Tax map and parcel #: 51-A-14
Magisterial District: Madison
Public Road Access: none
Owner of Record: American Timberland, LLC
Deed Book 232, page 658 Date Acquired 5-18-99
Acreage of Property 509 +/- Acreage for Rezoning 245 +/-
Are there any deed restrictions? None restricting proposed development

John Hancock Mutual Life Insurance Company
13925 Ballantyne Cor
Suite 220
Charlotte, NC 28277

Owner of the following parcel:

Tax map and parcel #: 59-A-4
Magisterial District: Madison
Public Road Access: Goshen Road
Owner of Record: John Hancock Mutual Life Insurance Company
Deed Book 236 page 1 Date Acquired 9-14-99
Acreage of Property 194 +/- Acreage for Rezoning 194 +/-
Are there any deed restrictions? None restricting proposed development

County of Cumberland
Planning and Zoning
Application for Change of Zoning Classification
(**Conditional Use Permit**, Variance, Rezoning, Amendment)

Application # _____

Date Filed: _____

1. Description of Request:

Rezone from N/A to _____

Conditional Use Permit for nonhazardous solid waste landfill, as permitted in Section 74-583 of the Cumberland County Zoning Ordinance.

Variance to Zoning Ordinance (explain) N/A

2. Name of Applicant: Cumberland County Development Company, LLC

Address: 2490 Charles City Road
Richmond, VA 23231

Phone: 804-622-4182

Name of Owner (if different from Applicant): See attached List of Owners/Contract Purchasers and Property Information

Address: See attached List of Owners/Contract Purchasers and Property Information

Phone: See attached List of Owners/Contract Purchasers and Property Information

3. Location of Property (attach plat in 1" – 100' scale) Due to size of areas to be rezoned, it is impractical to attach this size plat to application. Larger scale drawings can be provided when detailed site plans are submitted.

Tax map and parcel #: See attached List of Owners/Contract Purchasers and Property Information

Magisterial District: _____

Public Road Access: _____

Owner of Record: _____

Deed Book _____ Plat Book _____ Date Acquired _____

Acreage of Property _____ Acreage for Rezoning _____

Are there any deed restrictions? Yes _____ No _____

If "yes" attach copy of deed restriction.

Date restrictions expire: _____

4. Describe briefly the existing use and structures on the property.

The subject parcels are currently zoned A-2 (agricultural) and are primarily used for growing and harvesting timber. Previous land uses are unknown but may have included farming. There are no structures currently located on the subject parcels.

5. Explain and describe fully the *proposed* use, improvements, development, and operation program of the property. State whether new buildings or structures are to be used or additions made to existing building structures.

See Exhibit "A", "B" and "C"

6. Describe the reason for the requested change.

See Exhibit "A", "B" and "C"

7. State how this request will be materially detrimental to adjacent property, the surrounding neighborhood or Cumberland County in general. Explain what protections will be offered to protect neighboring properties and the surrounding area. Include, where applicable, information concerning: use of public utilities; effect of request on public schools; effect on traffic, to include means of access to nearest public road; effect on existing and future area development; and effect on economy.

See Exhibit "A", "B" and "C", as well as Plans, Procedures and Standards contained in this application package.

8. Does this property already have an existing conditional use permit, special exception, or variance? If so, please provide case numbers for prior change of zoning and other pertinent information.

No. The property is zoned A-2 (agricultural) with no use permit, special exception or variance.

9. Is the property or any portion of the property within the 100 year flood plain?

There is no portion of the 100 year flood plain within that area of the property for which the applicant is seeking a conditional use permit.

10. Please provide a complete list of all property owners adjacent, across the road or highway from the property and across any railroad right-of-way, creek or river.

Property Owner	Mailing Address	Tax Map Number(s)
John Hancock Mutual Life Ins. Co.	13950 Ballantyne Cor Suite 150, Charlotte, NC 28277	51-A-13 59-A-2
Gary L. Saunders	9715 Ground Hog Drive, Richmond, VA 23235	59-2-D
Howard L. and Barbara R. Roquet	11300 Shorecrest Lane, Chesterfield, VA 23838	59-2-C
Herbert Spencer and Wife	4926A Lauderdale Avenue, Virginia Beach, VA 23455	59-A-37
Herbert Spencer	4926A Lauderdale Avenue, Virginia Beach, VA 23455	59-A-38
James Littleton Spencer, et al.	4142 Batavia Place, Denver, CO 80220	59-A-39
Esther B. Boley	757 Frenchs Store Road, Cumberland, VA 23040	59-A-40, 59-A-40A
Mary Jane and James Keeter	740 Frenchs Store Road, Cumberland, VA 23040	60-A-13
Charles M and Kim P Taylor	2818 Spencerwood Drive, Powhatan, VA 23139	60-1-5
Henry F. Marano, III and Shirley A. Marano	3419 Seven Oaks Road, Midlothian, VA 23112	60-1-9
Richard E. Saunders Corporation	482 Frenchs Store Road, Cumberland, VA 23040	52-A-24
KPR Properties of VA LLC	P.O. Box 35542, Richmond, VA 23235	52-A-25
Dennis R. Wyllie	7502 Tanglewood Drive, Mechanicsville, VA 23111	60-1-12
American Timberland, LLC	260 Peachtree Street Suite 1800, Atlanta, GA, 30303	51-A-16
American Timberland, LLC	260 Peachtree Street Suite 1800, Atlanta, GA, 30303	52-A-26
Obscurity Land Development, LLC	2490 Charles City Road Richmond, VA 23231	60-1-3, 60-1-4, 60-1-10 60-1-11, 60-1-13
Curtis Franklin Marion	663 Anderson Highway, Cumberland, VA 23040	51-A-14A

11. Requirements and instructions for filing plans for Change of Zoning includes the following, which shall be submitted by the applicant:

- a. This application form must be filled out completely, with full answers to every statement and question. The application may be signed by an agent or attorney or by his lessee, owner, or owners before a Notary Public in the space provided on the final page.
- b. Furnish a complete plan for the requested change to the property. This plan shall consist of the following:
 1. Plot plan or survey plat showing the dimensions of the property, drawn to an appropriate scale, for which request is being made. (See Figure 2)
 2. Location and dimensions of existing structure, rights-of-way, easements, boundaries, water courses, lakes, off-street parking, loading space, landscaping, etc. (See Figure 1)
 3. Location and dimensions of proposed development, including structures, types of uses, access drives, setbacks, and easements, etc. (Figures 2 and 3)
 4. Locations and dimension of proposed recreational areas and buffer zones, if required. (See Figure 3)
 5. Location and size of water, sewer, and drainage facilities, if applicable. (Not Applicable)
 6. In the case of residential developments – proposed number of dwelling units and net acres available for building. (Not Applicable)
 7. In the case of commercial and industrial developments – proposed off-street parking and loading areas, signage, outdoor lighting and buffers and screening. (See Figure 3)
- c. The application fee required by Section 19.1 of the Zoning Ordinance is five hundred and fifty dollars (\$550.00). This fee must be paid at the time of filing the application. Make checks payable to the “County of Cumberland.”
- d. Photographs of the property, not over 8 ½ X 11 inches, are always helpful and are encouraged as exhibits with this application.

Please return the completed application, notarized statement for validity of information, supporting materials and application fee to:

Catherine Kahl, Planner/Zoning Administrator
Planning and Zoning
Cumberland County
P.O. Box 110
Cumberland, VA 23040

STATEMENT FOR VALIDITY OF INFORMATION

Conditional Use Permit Application

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
City/County of Richmond

I, James Zieche, on behalf of Cumberland County Development Company, LLC (CCDC), being duly sworn, depose and say that CCDC is the owner or contract purchaser of the property involved in the application, or has otherwise received authorization from the owner or contract purchaser. Attached to this application form is a List of Owners/Contract Purchasers and Property Information as well as a written certification from the owner(s) and/or contract purchaser(s) granting CCDC the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and the foregoing statements and answers provided herein are in all respects true and correct to the best of my knowledge and belief.

Signed: James H. Zieche
James Zieche, Vice President of Cumberland County Development Company, LLC

Mailing Address of Applicant:

Cumberland County Development Company, LLC
2490 Charles City Road
Richmond, VA 23231

804-622-4182
Phone

Subscribed and Sworn to before me on this 28th day of July, 2006,
2006.

Kyrtel Brissard
Notary Public

My Commission Expires: 7/31/09

WRITTEN CERTIFICATION
Conditional Use Permit Application

State of Virginia
City/County of Richmond

I, James Zieche, on behalf of Obscurity Land Development, LLC, being duly sworn, depose and say that Obscurity Land Development is the owner or contract purchaser of certain property involved in the application, has reviewed the application and hereby consents to the filing and pursuit of the application.

Signed: James H. Zieche
James Zieche, Vice President of Obscurity Land Development, LLC

Mailing Address:

Obscurity Land Development, LLC
2490 Charles City Road
Richmond, VA 23231

804-622-4182
Phone

Subscribed and Sworn to before me on this 28th day of July, 2006
2006.

Kupitel Brissman
Notary Public

My Commission Expires: 7/31/09

WRITTEN CERTIFICATION
Conditional Use Permit Application

State of Georgia
City/County of Fulton

I, Joyce Nigley, on behalf of American Timberland, LLC, being duly sworn, depose and say that American Timberland, LLC is the owner of certain property involved in the application, has reviewed the application and hereby consents to the filing and pursuit of the application.

Signed: Joyce Nigley
_____, Sr. Vice President of Regions Bank, Manager of American Timberland, LLC

Mailing Address:

American Timberland, LLC
260 Peachtree Street, Suite 1800
Atlanta, GA 30303

404-581-3731
Phone

Subscribed and Sworn to before me on this 28th day of July, 2006.

Donna G. Perry
Notary Public

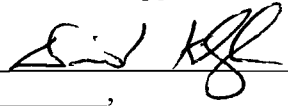
My Commission Expires: 3-21-08



WRITTEN CERTIFICATION
Conditional Use Permit Application

State of North Carolina
City/County of Mecklenburg

I, David Kimbrough, on behalf of John Hancock Mutual Life Ins. Co., being duly sworn, depose and say that John Hancock Mutual Life Ins. Co. is the owner of certain property involved in the application, has reviewed the application, supports the application and hereby consents to the filing and pursuit of the application.

Signed: , _____
_____ of John Hancock Mutual Life Ins. Co.

W. David Kimbrough
Manager, Land Sales and Asset Evaluation

Mailing Address:

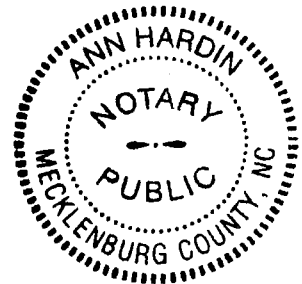
John Hancock Mutual Life Ins. Co.
~~13925 Ballantyne Cor~~ 13950 Ballantyne Corporate Place
Suite ~~220~~ 150
Charlotte, NC 28277-3162

704-540-4102
Phone

Subscribed and Sworn to before me on this 19th day of July, 2006.

Ann Hardin
Notary Public

My Commission Expires: March 27, 2007



LIST OF OWNERS/CONTRACT PURCHASERS AND PROPERTY INFORMATION

**Cumberland County Development Company, LLC
2490 Charles City Road
Richmond, VA 23231**

Owner of the following parcels:

Tax map and parcel #: 59-A-3
Magisterial District: Madison
Public Road Access: none
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061313 Date Acquired 7/12/06
Acreage of Property 66 +/- Acreage for Rezoning 58 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-6
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 21 +/- Acreage for Rezoning 13 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-7
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 22 +/- Acreage for Rezoning 21 +/-
Are there any deed restrictions? None restricting proposed development

Tax map and parcel #: 60-1-8
Magisterial District: Madison
Public Road Access: easement to State Route 654 / Almond Lane
Owner of Record: Cumberland County Development Company, LLC
Instrument # 20061317 Date Acquired 7/13/06
Acreage of Property 23 +/- Acreage for Rezoning 14 +/-
Are there any deed restrictions? None restricting proposed development

Contract Purchaser of the following parcel:

Tax map and parcel #: 59-A-4
Magisterial District: Madison
Public Road Access: Goshen Road
Owner of Record: John Hancock Mutual Life Insurance Company
Deed Book 236 page 1 Date Acquired 9-14-99
Acreage of Property 194 +/- Acreage for Rezoning 194 +/-
Are there any deed restrictions? None restricting proposed development

Obscurity Land Development, LLC
2490 Charles City Road
Richmond, VA 23231

Contract purchaser of the following parcel:

Tax map and parcel #: 51-A-14
Magisterial District: Madison
Public Road Access: none
Owner of Record: American Timberland, LLC
Deed Book 232, page 658 Date Acquired 5-18-99
Acreage of Property 509 +/- Acreage for Rezoning 245 +/-
Are there any deed restrictions? None restricting proposed development

American Timberland, LLC
260 Peachtree Street
Suite 1800
Atlanta, GA 30303

Owner of the following parcel:

Tax map and parcel #: 51-A-14
Magisterial District: Madison
Public Road Access: none
Owner of Record: American Timberland, LLC
Deed Book 232, page 658 Date Acquired 5-18-99
Acreage of Property 509 +/- Acreage for Rezoning 245 +/-
Are there any deed restrictions? None restricting proposed development

John Hancock Mutual Life Insurance Company
13925 Ballantyne Cor
Suite 220
Charlotte, NC 28277

Owner of the following parcel:

Tax map and parcel #: 59-A-4
Magisterial District: Madison
Public Road Access: Goshen Road
Owner of Record: John Hancock Mutual Life Insurance Company
Deed Book 236 page 1 Date Acquired 9-14-99
Acreage of Property 194 +/- Acreage for Rezoning 194 +/-
Are there any deed restrictions? None restricting proposed development

EXHIBIT A

OVERVIEW

The Cumberland County Development Company, LLC (CCDC) proposes to construct and operate a privately owned, solid waste disposal facility in Cumberland County, Virginia. The current zoning of the property is Agricultural (A-2). The proposed use of the property as a solid waste landfill requires that the property be rezoned to M-2, where landfill sites are permitted with a conditional use permit. Accordingly, CCDC is filing a rezoning application seeking to rezone a portion of the property from A-2 to M-2 and a Conditional Use Permit application requesting that a portion of the property be permitted as a solid waste landfill pursuant to Section 74-583 of the Cumberland County Code. This exhibit presents an overview of the proposed land use and development, including a description of the regulatory framework for landfills and an overview of the landfill siting and permitting process.

Rezoning Application

The Rezoning Application addresses the request to change the zoning for a portion of the property currently owned/optioned by the CCDC from A-2 (agricultural) to M-2 (industrial). Figure 2 shows the proposed rezoning area.

Conditional Use Permit Application

As noted above, a Conditional Use Permit (CUP) is required under Section 74-583 of the Cumberland County Code for that portion of the property to be used as a landfill. The CUP process is designed to provide Cumberland County (County) with sufficient flexibility to ensure compatibility of conditional uses with surrounding uses. Figure 2 shows the proposed CUP area.

Proposed Land Use/Development

The proposed land use/development is a solid waste disposal facility ("Facility") that represents an environmentally sound and responsible disposal management alternative for non-hazardous solid waste. The proposed Facility is anticipated to bring with it significant economic benefit. The design, operation, construction, closure, and post-closure activities will comply with applicable federal, state, and local requirements.

Proposed Improvements

The Facility will be fully integrated and may include several ancillary structures and companion services, such as:

- Office & Scale Buildings;
- Maintenance Garage;
- Facility Gas Management System; and
- Liquids Management Area.

Figure 3 shows the proposed conceptual layout of the Facility with some of the various ancillary structures and support services. In addition, Figure 3 depicts the access road and buffer areas within the context of the surrounding environs. The actual location of the various ancillary structures within the Facility boundary may be modified to reflect the results of the required engineering evaluation and design and subsequent regulatory reviews and approvals.

The Facility layout will be designed to provide safe and efficient flow of materials and traffic. The Facility and related appurtenances are situated to minimize impact and maximize efficiency, as presented conceptually on Figure 3. The Office & Scale Building, Maintenance Garage, and Liquids Management Facility will be located as close as practicable to the entrance, which minimizes traffic through the site. Areas of existing vegetation and future proposed vegetation provide natural buffer areas between the Facility and adjacent properties.

Private non-commercial vehicles, as appropriate, will be directed to deposit their waste at a Residential Drop-Off Center or County-owned convenience center. For their safety, residents will not be allowed to deliver waste to the landfill working face.

Additionally, the Facility will also have an effective composite liner system (or state-approved equivalent), leachate collection and control system, gas collection and control system, and an environmental monitoring program that will cumulatively ensure that the Facility is operated safely and protects the environment.

Facility Siting, Design, and Permitting

The siting, design, and permitting of a landfill are governed by various federal, state, and local statutes, ordinances and regulations. The Virginia Department of Environmental Quality (DEQ), which has been authorized by the United States Environmental Protection Agency (EPA), has developed standards to protect human health and the environment. These standards were promulgated by Chapter 80 of Virginia's waste management regulations. A complete list of applicable regulations may be obtained from the DEQ's website. In order to obtain a DEQ permit, disposal facilities must meet stringent requirements for siting, design, operation, groundwater monitoring, financial assurance, closure and post-closure. To that end, a preliminary site suitability study was performed by the applicant prior to the submittal of this zoning application. The siting issues addressed during that evaluation included but were not limited to: required buffers for nearby parks, schools, hospitals, airports, homes, public water supply sources, streams, flood plains, and geologic features such as sinkholes, faults, or unstable areas; avoidance and minimization of wetland impacts; site hydrogeologic features such as groundwater, springs, seeps; and, minimizing impacts to natural, ecological, and cultural resources. This preliminary study concluded that the selected site is suitable for consideration as a solid waste disposal facility.

DEQ's permit application process is generally considered a two-part process. The Part A permit module addresses site suitability requirements and includes a detailed hydrogeologic and geotechnical evaluation. The Part B permit module includes the detailed design documents prepared by the applicant's engineer, DEQ's review and preparation of the draft permit, and then a public notice and comment period.

General Operations

As part of the permitting process, CCDC will prepare a detailed Operational Plan in accordance with the requirements of the DEQ. The Operational Plan will provide for operations in accordance with applicable provisions of DEQ Regulations and will address operational matters including, but not limited to, the following: screening, wetlands, water quality, soil erosion, and the control of dust, litter, scavengers, odor and noise. Many of these matters are discussed in Section II of this application package. The Facility will be designed to accommodate daily volumes of waste in amounts permitted under the Host Community Agreement between the Board of Supervisors of Cumberland County, Virginia and Cumberland County Development Company, LLC, as may be amended (the "Host Agreement"). The types of wastes to be accepted are defined by DEQ regulations. A comprehensive listing of acceptable wastes can be found in the Virginia Administrative Code. A program for waste screening is included in this application package.

Comprehensive Plan

The proposed development of the property is consistent with the Cumberland County Comprehensive Plan.

Public Services

According to the Cumberland County Comprehensive Plan, an increase in population is expected in the next 10 to 20 years. This growth in population will increase demands on all public services, including sanitation, recycling and waste disposal. A waste disposal facility in Cumberland County would ensure cost-effective disposal capacity for the County's waste for the next several decades.

This project may also serve as a funding mechanism for public purposes such as: 1) generating funding for capital improvement projects for the school system, 2) reduction in the cost of providing solid waste management services, and 3) providing additional financial resources for other community infrastructure projects.

Development

There is a large amount of undeveloped land in Cumberland County. Construction of the Facility will result in an increase in the taxable non-residential development in Cumberland County, thereby reducing the tax burden on the residential real estate base. Furthermore, support activities at the Facility will enhance opportunities to attract additional economic development to the area.

EXHIBIT B

ECONOMIC BENEFITS TO CUMBERLAND COUNTY

The proposed Facility offers a number of economic benefits to the County residents. In fact, the Facility is projected to provide \$150 million in economic value during the life of the site. This includes such benefits as royalty payments, free waste services, and local jobs, as well as annual contributions for benefiting local education and emergency services.

Upon receipt of all authorizations and permits necessary for the construction and operation, the Facility is anticipated to contribute to the local economy both directly and indirectly. Under the contractual Host Agreement, the County will receive a "per ton" fee for waste transported to the Facility. As a business, the Facility will pay taxes on equipment and machinery, and a tax on real property, to Cumberland County. Operation of the Facility in Cumberland County will also benefit the local economy through increased expenditures at, for example, local establishments such as equipment repair and rental companies, materials and hardware supply stores, restaurants and convenience shopping stores. Operation of the Facility itself will require the purchase of insurance, technical services, equipment and other miscellaneous supplies and services. Also, it is anticipated that the Facility will generate approximately 25 to 35 full time jobs annually over its operational life. The Facility will, therefore, positively affect economic activity in the County.

CCDC will also work with Cumberland to promote economic development and to attract businesses and industries to the general areas. CCDC will assist Cumberland in doing so by:

- (a) marketing landfill gas, for sale to third party businesses and industries located on or off the Facility;
- (b) sharing revenues derived from the initial sale of landfill gas generated at the Facility to third parties;
- (c) sharing profits derived from the sale of recyclable resources extracted through mining operations from the waste disposed of in the Facility and sold to third parties;
- (d) working with Cumberland to develop CCDC land adjacent to or part of the Facility deemed excess by CCDC into an industrial park for sale or lease to third parties;
- (e) working with Cumberland to develop public water and sanitary sewer services to the Facility by utilizing potential savings to CCDC in leachate disposal, and in increasing property values.

The Provisions of the Host Agreement also provide a number of other economic benefits to the County which are summarized below:

Property Value Protection Program

While recent studies are inconclusive regarding the assertion that property values decrease as a result of proximity to solid waste management facilities, the proposed plan takes the extra steps to ensure that surrounding properties are protected. Under the plan CCDC will provide a Property Value Protection Program which is specifically described in the Host Agreement.

Free Waste Disposal

CCDC will provide a specified amount of free waste disposal for waste delivered to the County and/or the convenience centers by County residents, at no cost to the County or its residents. Residents will be encouraged to maintain and improve upon current recycling levels. As an incentive, the County will benefit directly from the revenue associated with the sale of marketable items.

Annual County Clean Up Day

On an annual basis CCDC will assist Cumberland in the clean up of litter on a day specified by Cumberland as "Keep Cumberland Clean Day". CCDC will provide reasonable amounts of equipment, materials, labor and transportation needed to assist Cumberland in collecting and transporting waste from locations as may be designated by Cumberland for clean-up activities.

Convenience Centers

CCDC, will renovate, re-design, engineer and construct improvements and renovations to existing Convenience Centers in order to provide better lighting and to improve the entrance ways and traffic flow by paving and asphaltting all portions of the roadway areas used by County residents. CCDC agrees to assist Cumberland to become a model rural recycling community and to continue exceeding Virginia recycling goals.

College Scholarships

CCDC will pay to the Cumberland Public Schools Foundation and/or any similar educational trusts, foundations and/or civic organizations, on an annual basis the collective sum of Ten Thousand Dollars (\$10,000.00) per year.

Fire and Rescue Donations

CCDC will pay the County on an annual basis the sum of Fifteen Thousand Dollars (\$15,000.00) per year that the County shall apply to the financial aid of emergency services (such as the fire and rescue services) in Cumberland County.

Annual County Inspector Expenses

The Company will reimburse Cumberland on a monthly basis for certain costs, expenses, salary and benefits incurred in connection with staffing, as a County employee, one or more Facility

inspectors whose responsibility it shall be to monitor and inspect waste transportation and disposal practices in the County.

EXHIBIT C

REQUIRED CONDITIONS OF CUP

In accordance with Section 74-583 of the Cumberland County Code, permitted uses with a conditional use permit in an M-2 district shall include a non-hazardous solid waste or debris waste landfill. The ordinance provides that certain provisions or condition must be attached to the permit. These requirements are summarized and addressed below.

Permitted uses with a conditional use permit in an M-2 district are as follows:

3. Non-hazardous solid waste or debris waste landfills, permitted by the state department of waste management, with conditional use permits containing at a minimum the following provisions:
 - a. A guarantee that such landfill will be in full compliance with applicable state and federal laws and regulations and will not commence operation until all applicable state and federal permits are obtained;
 - *The Facility must be designed and operated in accordance with all DEQ rules and regulations, thereby protecting the health, safety and general welfare of the public.*
 - *The Facility will have a closure and post-closure assurance program that will be reviewed and approved by the DEQ.*
 - b. A guarantee that all provisions in state or federal permits will be fully complied with at all times during a project's life;
 - *The Facility must be designed and operated in accordance with DEQ rules and regulations, thereby protecting the health, safety and general welfare of the public. The Facility will be subject to frequent inspections by the DEQ and/or the County.*
 - c. A guarantee that such landfill will not accept medical waste, hazardous waste or toxic waste as these terms are defined pursuant to state and federal law;
 - *See Waste Acceptance/Load Checking Procedures and discussion related thereto.*
 - d. A guarantee that copies of all applications for state or federal permits, along with information submitted in any permit application process, will also be provided to the administrator;
 - *Cumberland County Development Company, LLC will comply with this provision by copying the Administrator or designee on all application submittals.*
 - e. A transport plan describing all routes which trucks will use in transporting waste within the county, including plans for entrance and exit at the proposed site;

- *See Transport Plan and discussion related thereto.*
- f. A plan for a tree buffer zone and such other aesthetic criteria as may be necessary to shield the landfill from adjoining property and public roads;
 - *See Buffer Zone Plan and discussion related thereto.*
- g. A plan for recycling solid waste which will describe the proposed recycling methods, minimum recycling volume (as a percentage of the total waste stream) and disposal methods for recyclable material;
 - *See Recycling Plan and discussion related thereto.*
- h. A plan for monitoring groundwater at the site; copies of all required monitoring tests shall be provided to the administrator during the operation of the use;
 - *See Groundwater Monitoring Plan and discussion related thereto.*
- i. A plan for firefighting arrangements;
 - *See Emergency Response Plan/Firefighting Arrangements and discussion related thereto.*
- j. A plan for proper closure of the Facility;
 - *See Post-Closure Plan and discussion related thereto.*
- k. A plan for maintaining the site and public roads within one-half mile of the site's entrance or in a litter free condition;
 - *See Operational Controls Plan for Access, Litter, Dust, Noise, Odor and Vectors and discussion related thereto.*
- l. A plan for safe use or control of methane gas produced at the site;
 - *See Methane Monitoring Plan and discussion related thereto.*
- m. A plan to prevent soil erosion at the site;
 - *See Stormwater Management and Erosion Control Plan and discussion related thereto.*
- n. A guarantee that the site shall remain fully accessible to the administrator, other county officials or their agents at all times;

Cumberland County and its personnel and agents shall have full access to the Facility for inspection purposes during all operating hours and without prior notification, including the reasonable

inspection of waste deposited in the Facility and waste at the gates held in incoming trucks, and may conduct soil and water samples or other tests on the Facility site. The Company's records, logs and documentation pertaining to the operations of the Facility shall be made available to the County during normal business hours upon County's written request. The Company shall maintain records of all received waste, including type, size, area of waste origination and any rejected waste or removed waste for a period of three years, all of which shall be available to the County during normal business hours.

- o. A plan for operation which will describe hours of operation, number of personnel, employed at the site, and the equipment used on the site;
 - *See Staffing and Equipment Plan and discussion related thereto.*
- p. A plan for placing intermediate and final cover over the site; and
 - *See Cover Plan and discussion related thereto.*
- q. The payment of an annual fee to the county in an amount equal to the reasonable administration cost needed to monitor the site's compliance with conditions expressed in the use permit.

In accordance with Virginia Code § 10.1-1408.1 and the provisions of the Host Agreement, the Company shall reimburse the County on a monthly basis for the costs, expenses, salary and benefits incurred in connection with staffing, as a County employee, one or more landfill inspectors whose responsibility it shall be to monitor and inspect waste transportation and disposal practices in the County.

These conditions shall ensure the compatibility of the proposed use with surrounding uses and protect the health, safety and general welfare of the public. Additionally, Section 74-588 of the County Zoning Ordinance establishes industrial performance standards which will further regulate the proposed use. In fact, the applicant will request that the standards established in Section 74-588 (with the exception of Sections 74-588(a)(1), (a)(2) and (a)(9)) be specifically incorporated as conditions to the CUP. In regard to issues involving noise, odor and lighting, the applicant will request that the more site-specific and use-specific standards established in the Host Agreement be incorporated into the CUP pursuant to Section 74-702(a)(14) of the County Zoning Ordinance.

WASTE ACCEPTANCE / LOAD CHECKING PROCEDURES

All incoming waste will be observed to verify that it is acceptable in content and origin. Accurate and up to date records will be maintained of all waste accepted and all landfill operations. The following is a general discussion regarding the types of waste which will be accepted at the Facility and procedures normally implemented to ensure only authorized waste is disposed of at the Facility.

Type of Waste Accepted

Waste accepted for disposal will consist only of general municipal refuse, construction and demolition debris, and permitted non-hazardous special waste. A comprehensive load checking program has been developed to detect unauthorized wastes. The following wastes, at a minimum, are considered unauthorized and will NOT be accepted for disposal at the Facility unless permitted by the County and State: medical waste, hazardous waste and toxic waste, as those terms are defined pursuant to state and federal law.

Weighing and Control of Waste Volumes

The Facility will maintain accurate and up to date records of wastes that are acceptable for disposal. A scale will be provided at the entrance to the Facility so that trucks may be weighed. A radioactive waste detector will be provided at the scale house to detect radioactive materials. The scale and daily records will be maintained and utilized to determine the total tons of municipal solid waste and non-hazardous special waste delivered to the Facility. The scale will be certified on a regular basis to ensure its accuracy, and proof of certification will be maintained on-site.

Training

Any Facility employee involved with the load checking program will be required to be familiar with the list of unauthorized wastes and load checking procedures. Employees will be trained in the identification of unauthorized wastes, including familiarity with typical containers, markings, labels and placards that might aid in recognizing unauthorized wastes. Trained personnel will be provided with literature in this regard and will be required to remain familiar with any updated lists of unauthorized wastes. Periodic personnel meetings will be held to ensure that all staff members involved with the load-checking program remain aware of waste acceptance criteria. Trained personnel will include all employees involved in the daily operations of the Facility.

Regular Checkpoints

Informal load checking will be the responsibility of all employees; particularly those that work at the entrance area and those that work at or near the active fill area. Each employee will observe vehicles entering the Facility for any potentially unauthorized waste and will alert management personnel if any unauthorized wastes are suspected. Through the waste collection programs, there will be several checkpoints;

- Curbside checkpoints – the hauler is notified at the Facility on what materials are acceptable and which are unacceptable;
- Gatehouse checkpoints – only authorized vehicles and material will be allowed beyond the gatehouse. The gate attendant will refuse entry to any unauthorized vehicles or vehicles observed carrying any unauthorized waste;
- Active face checkpoints – All incoming loads of waste will be observed by the equipment operators as it is discharged at the active face; and
- Checkpoints during compaction at active face – material will be inspected by the Facility compactor operator as it is compacted at the active face.

Random Inspections

Random load inspections will also occur an average of five times per week for municipal solid waste, and three times per week for special waste pursuant to CCDC Policy. If the DEQ requires more frequent inspection than CCDC, a frequency will be followed as approved by the State. These inspections will be completed by an employee who is trained in the identification of potential sources of regulated hazardous wastes and other unacceptable wastes.

The Facility manager may designate an employee to be responsible for conducting the inspections. Trucks selected for random inspection will be directed to deposit their loads in a location near the active face where the inspection can occur without interfering with the active landfilling operations. Assuming no unauthorized waste materials are found during the inspection, the driver will be allowed to leave and the inspected waste material will be promptly moved to the fill face for proper disposals with other daily receipts.

Record Keeping

All incidents and formal load inspections will be documented in writing by the inspector and retained by the Facility for a minimum of five years. The following information will be logged for each incident and formal inspection which takes place:

- Date and time of inspection;
- Name of the hauling firm;
- Name of the driver;
- Vehicle license plate number;
- Source of the waste as reported by the driver;
- Inspector observations; and
- Signatures of inspector and driver.

Handling of Unauthorized Wastes

If unauthorized wastes or regulated hazardous wastes are discovered by the load checking program or otherwise discovered to be improperly deposited at the Facility, then the operator will

promptly notify the State, the County, the person and/or company responsible for shipping the waste, and the waste generator, if known. If the unauthorized/regulated hazardous waste has not been unloaded, it will remain on the transportation vehicle. If the particular waste has already been unloaded, the deposit area (formal load inspection area) will be secured with temporary fencing (and containment berms as necessary) until arrangements can be made to contain and transport the waste to a licensed disposal facility by a licensed waste hauler. The Facility will coordinate the cleanup and removal of the waste, consulting with the State and the generator during the process. A written record of the unauthorized waste incident will be made, with copies of the report placed in the Facility's records.

TRANSPORT PLAN

The purpose of this transport plan is to generally describe anticipated traffic impacts, travel routes that trucks will use in transporting waste within the County, the anticipated site access road location, and any anticipated improvements to the proposed entrance for the proposed Facility along U.S. Route 60.

Travel Routes and Limitations

The primary designated truck routes will be certain portions of State Route 45 and U.S. Route 60. Ingress and egress to the Facility will be from a new industrial park access road to be located approximately 8 miles northeast of the Cumberland County Courthouse along U.S. Route 60. Trucks entering the Facility will pass over a scale at which Facility employees will examine loads, distribute paperwork, control traffic, etc. The same road in the opposing lane will allow for egress.

CCDC will operate the Facility in such a manner as to avoid unreasonable traffic congestion involving company controlled waste stream providers on County roads. Pursuant to the terms of the Host Agreement, CCDC has agreed that the daily truck traffic created from CCDC controlled waste stream providers on roads within Cumberland County shall be limited as follows:

- Incoming and departing truck traffic will utilize U.S. Route 60 and that portion of U.S. Route 45 between U.S. Route 6 and U.S. Route 60.
- No CCDC controlled waste stream provider will be allowed access to: (i) secondary roads adjacent to the Facility; and (ii) that portion of U.S. Route 45 between Farmville and U.S. Route 60, except for those CCDC controlled waste stream providers servicing the Farmville area.
- CCDC will maintain a truck staging area during periods when the Facility is not actively disposing of waste, and shall require its use by CCDC controlled waste stream providers.
- CCDC will require its CCDC controlled waste stream providers going to the Facility to limit the use of that portion of Route 60 passing through the County Courthouse between the hours of 7:00 AM and 8:00 AM, and again between 3:00 PM and 4:00 PM, Monday through Friday on days when County schools are in session, to a standard of no more than 4 trucks per hour.
- In order to further disburse truck traffic, CCDC will be allowed, at its discretion, to conduct Waste disposal between the hours of 5:30 a.m. until 5:30 p.m. Monday through Saturday, and on Sundays only as requested by CCDC and approved by Cumberland in its sole discretion. CCDC may conduct Waste disposal during the extended hours of 4:00 a.m. to 9:00 p.m. or any portion of time therein, subject to the approval of Cumberland at its sole discretion.

- Absent approval by Cumberland, the Facility shall be closed for actual disposal of waste on all Sundays.
- All waste stream providers will be required to use one entrance to access the Facility, which entrance shall be located on U. S. Route 60 or on a road providing direct access to U. S. Route 60.
- CCDC shall make affirmative efforts to educate the waste stream providers not under CCDC's control of these traffic restrictions.

Industrial Park Access Road

As part of a separate zoning application, a 1.5 mile road to access the Facility and proposed industrial park development located north of the Facility is being proposed. This access road will be constructed to the Virginia Department of Transportation (VDOT) standards and requirements and will terminate at the end of the industrial park development with a temporary turnaround or cul-de-sac. The access road from the point into the Facility will be a private road, maintained by the applicant, and will include a bridge over Maxey Mill Creek. A new intersection is planned on Route 60 approximately 8 miles northeast of the Cumberland County Courthouse.

A traffic impact study will be performed as part of this project. The scope of this study will be coordinated and approved by VDOT. It is anticipated that the study area will focus primarily on the associated impacts of the proposed intersection of Route 60 with the access road. In general, it is not anticipated that a signal will be required; however, the necessary signal warrants will be analyzed to ensure the appropriate traffic control devices are installed. It is anticipated that Route 60 improvements will include right and left turn lanes. Final approval of the intersection location and improvements will be determined by the VDOT District Engineer during the permit review process. The location and improvements are anticipated to be accepted by VDOT.

BUFFER ZONE PLAN

The purpose of this Buffer Zone Plan is to describe CCDC's plans for shielding the Facility from adjoining property and public roads.

Pursuant to applicable state regulations, aesthetics will be considered in the design of the Facility. Use of artificial or natural screens will be incorporated into the design for site screening and noise reduction. Additionally, state regulations will require a landscaping plan delineating the existing site vegetation to be retained, and discussing the methods to be employed in order to ensure protection during the clearing, grading and construction phases of the project and the supplemental vegetation to be planted. Information relating to vegetation type, location and purpose, such as for buffer, screening or aesthetics, and schedules for planting, shall accompany the plan.

Additionally, pursuant to the Host Agreement, CCDC will provide for a vegetative buffer area with a minimum variable width buffer of one hundred (100) to three hundred (300) feet between the Facility's disposal area and any adjoining property owners' property. The vegetative buffer area shall be established and maintained by the Company to create a visual buffer to screen the disposal operations of the Facility. In constructing and operating the Facility, the Company shall minimize the cutting of existing trees in the vegetative buffer area in order to maintain and enhance the integrity of the vegetative buffer area. Any portions of the vegetative buffer area from which a materially significant number of trees are removed or die, or for which the visual buffer is insufficient to create a continuous visual screen between the Facility operations and the adjoining properties, shall be supplemented by the Company by planting and maintaining white pine trees, loblolly pine trees or other non-deciduous trees and shrubs, along with the construction of earthen berms as needed. Any such planted trees needed to maintain or supplement the visual buffer shall be no less than five (5) feet in height when planted.

RECYCLING PLAN

This plan for recycling solid waste describes the proposed recycling methods, minimum recycling volume (as a percentage of the total waste stream) and disposal methods for recyclable material.

CCDC will provide recycling outlets for appropriately source-separated commodities such as newsprint, metal, and glass collected at the existing convenience centers. The minimum convenience center recycling percentages will likely mirror the current percentages. Current recycling goals for Cumberland County are 25% of the total waste stream as indicated in the Solid Waste Management Plan as amended from time to time. Additional details regarding recycling rates and goals are described therein. CCDC, utilizing CCDC employees without charge or expense to the County, agrees to assist the County to become a model rural recycling community and to continue exceeding Virginia recycling goals.

In addition, and consistent with the current practices of the existing convenience centers, CCDC will be responsible for transporting, at its cost, all recyclables located at the Centers to a proper Recycling Facility and shall, upon request, provide reasonable documentation to the County to determine the volume and composition of such recyclables. CCDC agrees initially to dispose of all recyclables through the STEPS program as provided for in the Host Agreement.

GROUNDWATER MONITORING PLAN

A comprehensive site-specific groundwater monitoring program will be maintained for the Facility in accordance with all applicable federal and state regulations. The program will monitor the groundwater at the Facility and verify that the Facility is functioning as intended, and will provide an early warning system in the unlikely event of a release. Copies of all required monitoring tests shall be provided to the County during the life of the Facility. The groundwater monitoring network to be installed will, in turn, be based upon the site hydrogeologic investigation, the Facility design, and the groundwater impact assessment. Monitoring wells will be constructed in accordance with all applicable local, state, and federal requirements.

A list of groundwater parameters and sampling frequencies will be developed in accordance with State regulations. The groundwater monitoring wells will require sampling and reporting on a frequency determined by the DEQ (e.g., semi-annually, quarterly, etc.), both during the operation life of the Facility and during the post-closure care period.

EMERGENCY RESPONSE PLAN / FIREFIGHTING ARRANGEMENTS

The following describes a plan for firefighting arrangements.

Pursuant to state regulations, an emergency contingency plan which delineates procedures for responding to fire, explosions or any unplanned sudden or non-sudden releases of harmful constituents to the air, soil, or surface water will be submitted to the local police and volunteer fire department. Under current regulations, the emergency plan will contain:

1. A description of the actions Facility personnel shall take in the event of various emergency situations;
2. A description of arrangements made with the local police and fire department which allow for immediate entry into the Facility by their authorized representatives should the need arise, such as in the case of personnel responding to an emergency situation; and
3. A list of names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator for the Facility. This list shall be kept up to date. Where more than one person is listed, one shall be named as primary emergency coordinator and the others shall be listed in the order in which they will assume responsibility as alternates.

The plan will specifically address fire prevention and protection as well as firefighting arrangements in the event of a fire. Certain precautions will decrease the potential for fire at the Facility. These include limiting smoking to designated areas, refusing acceptance of hazardous waste which could possibly have characteristically low flash points, and performing load checking for ignited or "hot" loads of wastes entering on trucks or other vehicles. Minimum setback distances of buildings from fuel tanks, proper fueling procedures, and routine maintenance and preparation of equipment will also contribute to fire prevention.

In the event that a fire does develop, immediate steps will be taken to rectify the situation. The steps taken in reaction to a fire depend upon the cause and location of the fire. Typical steps include isolation of the burning material and application of a fire retarding material such as soil, water or other material. Three types of fires which have the potential to occur include:

- If a fire occurs within the waste, affected waste will be removed to a safe distance as soon as possible. If a subsurface fire occurs at the Facility, the material will be dug out or suffocated until the fire is extinguished.
- If a fire occurs at the working face of the Facility, the materials will be isolated from other combustible materials in a manner which will not cause danger to the employees and will provide protection against spreading of the fire. Determining the characteristics of the burning material will allow the fire fighter to choose the most appropriate method to douse the flames (i.e. soil, water, or other appropriate methods). If the burning material has not been adequately extinguished, other methods may be required and the local fire department may be contacted;

- If a fire occurs in a load on an incoming truck, it will be detected during the load inspection by the gate attendant or by the equipment operator. The smoldering material will be unloaded to a remote area if possible. After unloading, the burning materials will be extinguished by placing cover material over the surface. If required, the Facility will contact the Fire Department.

Each piece of heavy equipment will be equipped with a multi-purpose fire extinguisher. A soil stockpile will be located near the working face of the Facility which will provide additional aid in extinguishing small fires that are too large to control with fire extinguishers. Fire extinguishers applicable to the chemicals and operations at the Facility will be strategically located at accessible locations within each building. Furthermore, a clearance around heaters and light equipment will be maintained to prevent the potential for ignition of combustible materials.

The local Fire Department will be contacted to supply fire and emergency services to the Facility. If necessary, the Fire Department will be provided with access to any Facility equipment, which would help with emergency response. Access throughout the Facility can be achieved on permanent and temporary roadways or with the assistance of on-site heavy equipment. Water will typically be taken from the stormwater basins as necessary.

POST-CLOSURE PLAN

The following generally describes the plan for closure of the Facility.

Pursuant to applicable and current regulations, areas of the Facility that have been filled to final grades will be covered with a closure cap system specifically required by DEQ Regulations. Placement of the final lift is followed by one foot of compacted earthen material within 90 days of reaching final lift height (or as otherwise approved/required by DEQ). Subsequent layers include:

- an 18-inch infiltration layer (earthen material) with a hydraulic conductivity less than or equal to the hydraulic conductivity of any bottom liner system or natural subsoils present, or a hydraulic conductivity no greater than 1×10^{-5} cm/sec, whichever is less; and
- an erosion layer that contains a minimum of 6 inches of earthen material that is capable of sustaining native plant growth, and provide for protection of the infiltration layer from the effect of erosion, frost and wind.

DEQ may approve an alternate final cover design that demonstrates equivalent reductions in infiltration and protection from wind and water erosion. The finished side slopes must be stable and configured to adequately control erosion and runoff. Slopes of 33% or steeper may be considered if supported by necessary stability calculations and appropriate erosion and runoff control features. The top slope must be at least two percent after allowance for settlement to prevent ponding of stormwater.

This system will reduce long-term maintenance, and will control, minimize, and eliminate, the post-closure escape of uncontrolled leachate, surface runoff, or waste decomposition products to the groundwater, surface water, and atmosphere, and decomposition gas migration.

Final cover placement will occur as the filling progresses.

Under current regulations, once the entire Facility has been closed and the composite closure cap system completely constructed, the Facility must be maintained for a period of at least 30 years. All Facility systems that will continue to operate after closure are subject to ongoing maintenance and inspections. Such systems include the leachate collection, storage, and treatment system, the Facility gas management system, groundwater monitoring and gas monitoring systems, and the drainage and erosion control systems.

As part of CCDC's Post-Closure plans for the Facility, a Final Use Plan will be prepared at the end of the operating life of the Facility. The Plan may feature public recreational park facilities and athletic fields to serve the county residents.

PLAN FOR ACCESS, LITTER, DUST, NOISE, ODORS AND VECTORS

The following restrictions and guidelines will be implemented at the site to maintain control over site access, litter, dust, noise, and vectors.

Standard operating procedure for the Facility will require that all covering operations pertaining to filling activities will be completed prior to ending operations for the day. In order to minimize the exposed waste area, daily cover will be placed and compacted throughout the day when possible and will be completed prior to leaving the site. It is expected that daily cover will typically be in place within one hour of the final acceptance of waste for that day. Facility construction, such as the construction of a new cell, may occur any time as necessary to ensure uninterrupted solid waste disposal service.

Access

A fence will restrict access to the Facility with lockable gates at all entrances. Additionally, barriers including earthen berms, ditches, and other landscaping will further discourage unauthorized access to the Facility.

A permanent information sign will exist at the Facility entrance and contain, at a minimum, the following information:

**SITE NAME, AND FACILITY PERMIT NUMBER
DAYS AND HOURS OF OPERATION
FACILITY TELEPHONE NUMBER
FACILITY EMERGENCY CONTACT TELEPHONE NUMBER
OPERATING CCDC NAME, ADDRESS, TELEPHONE NUMBER
STATE EMERGENCY RESPONSE TELEPHONE NUMBER**

Additionally, the following warning information will be posted at all Facility entrances:

**NO TRESPASSING
UNAUTHORIZED ENTRY PROHIBITED
HAZARDOUS WASTE DISPOSAL IS PROHIBITED
SPECIAL WASTE ACCEPTED AS PERMITTED
WITH IDENTIFICATION RECORD AND MANIFEST
THERE ARE FEDERAL, STATE AND LOCAL PENALTIES FOR
UNAUTHORIZED DUMPING-VIOLATORS WILL BE PROSECUTED
CAMERAS MAY BE USED TO RECORD VISIBLE SOLID WASTE
CONTAINERS**

Litter

Blowing litter will be minimized through the use of daily cover materials, including soil, synthetic covers, and alternate daily cover materials as approved by the State. During anticipated high winds, the operator will locate the daily activity to minimize wind disturbance. For example,

lower elevation lifts can be used during high wind periods so that the operation is shielded. Temporary portable fencing may also be used as additional protection against blowing litter. Refuse vehicles disposing of waste will be fully enclosed or will have covers or tarps to prevent waste from blowing out of the vehicles.

Laborers will patrol the Facility and surrounding public property, including those public roads within one-half mile of the site's entrance, daily to collect any litter escaping the active fill area, including litter caught by the portable and perimeter fencing. The collected litter will either be placed directly into the landfill and covered or placed into a secure covered container and later disposed of in the landfill.

Dust

Periodic watering, as necessary, will control dust originating from unpaved access roads. Water can typically be obtained from the stormwater detention basin areas. The main access road to the scale will be paved. Areas of final cover will be vegetated as soon as possible, as will stockpiles not intended for near term use.

Noise

Noise generated at the Facility will be monitored and regulated pursuant to the terms set forth in the Host Agreement which include provisions for the regular measurement of noise levels in and around the Facility. Natural barriers will control the noise that is generated as the earthen berms around the Facility will serve to dampen noise from operational activities.

Odors

Odor shall be controlled in accordance with State regulations as well as by the provisions of the Host Agreement relating to the reporting, monitoring and necessary corrective actions to be taken. Routine spreading, compacting, and daily covering of wastes should prevent significant odors from emanating from the Facility. If any particularly odorous wastes are received, the wastes will be covered with sufficient material to minimize the odor. Also, the use of an active landfill gas collection system will help to minimize odors.

Vectors

Vectors historically associated with landfills such as rodents, birds, and insects are typically not a problem at a properly operated Facility. Daily cover, including soil and permitted alternate daily cover materials, provides a physical barrier that prevents vectors from accessing the buried waste for nesting places or food sources. In the unlikely event that a vector problem develops, appropriate measures such as the use of a professional exterminator will be employed to successfully rid the site of such vectors.

METHANE MONITORING PLAN

CCDC will monitor methane gas in accordance with applicable state regulations.

Methane gas can be generated by solid waste landfills due to the nature, composition, and particle size of the waste. CCDC proposes to implement an efficient and effective gas management plan, which is possible when coupled with a well engineered leachate collection and conveyance system, adequate waste placement practices, good housekeeping measures, and adequate odor controls. Leachate recirculation will be implemented along with comparable enhancements to the gas collection and control system.

State regulations currently require that:

- a. The concentration of methane gas generated by the Facility does not exceed 25 percent of the lower explosive limit for methane in Facility structures (excluding gas control or recovery system components); and
- b. The concentration of methane gas does not exceed the lower explosive limit for methane at the Facility boundary.

The landfill gas monitoring system will consist of four types of monitoring devices: 1) devices which are within the waste unit, 2) perimeter gas probes which are below ground, around the perimeter of the waste unit and monitored quarterly, 3) ambient air monitoring devices, and 4) continuous air monitoring devices within on-site buildings. The monitoring devices will be placed in the unit to obtain representative samples of gas concentrations. Landfill gas monitoring will be performed around the perimeter of the unit and in the on-site buildings to confirm that the Facility's gas collection and containment systems are performing as designed. Landfill gas monitoring will continue during the post-closure care period as required under state regulations.

STORMWATER MANAGEMENT AND EROSION CONTROL PLAN

CCDC will provide for the design, construction and maintenance of sufficient silt fences, sedimentation ponds, drainage ditches or other safeguards on the Facility property to assure that storm water runoff from roads and any of the improvements to the Facility shall not cause excessive erosion to the Facility property or adjoining properties or otherwise violate any erosion and sedimentation plan, wetland, and/or water quality criteria as may be required by the DEQ, the Virginia Department of Health or any other applicable state, local or federal agency.

The specific requirements associated with this plan will be determined during the permitting process. Calculations and drawings will be prepared showing the drainage patterns and surface water drainage control structures both within the actual fill area and at the site perimeter. Such structures may include berms, ditches, sedimentation basins, pumps, sumps, culverts, pipes, inlets, velocity breaks, sodding, erosion matting, or other methods of erosion control. The DEQ will review and approve the proposed plan prior to its implementation.

Stormwater management at the Facility will consist of diverting stormwater away from the disposal areas through the use of operational berms, and channeling runoff to a perimeter channel. Stormwater that is generated within the landfill footprint, but has not come into contact with waste, will be conveyed to a stormwater basin. The stormwater basins will allow for the discharge of stormwater to adjacent wooded and vegetated areas and will consist of a continuous flow system. The continuous flow system allows a balance to be maintained between waters received and waters discharged. This is accomplished with the use of discharge inlet and outlet structures placed at appropriate elevations allowing for a continuous inflow and outflow.

Different phases of Facility construction govern the use of a variety of stormwater management controls. Cumulatively, stormwater management controls at the Facility will include lined and unlined drainage channels, sideslope stormwater diversion swales, stone-filled wire baskets, downchutes, silt fencing, straw bales, and temporary operational berms. The stormwater basins will be tested on a routine basis for landfill related impacts.

During construction, temporary channels will be used to convey stormwater, and silt fence and/or straw bales will be used to reduce sediment loading to the stormwater basins. The stormwater basins will be used throughout the construction, operation and closure periods. Temporary and operational berms will be used during concurrent cell construction/waste placement to minimize surface areas exposed to stormwater, and to minimize leachate quantities generated. Permanent stormwater diversion channels will be constructed in accordance with the fill progression plan to replace temporary diversion channels as cells have been completed.

STAFFING AND EQUIPMENT PLAN

The following generally describes hours of operation, number of personnel employed at the site, and the equipment to be used on the site. Additionally, under the terms of the Host Agreement, CCDC will submit an “Operational Plan” to the County for approval.

STAFFING

Qualifications and anticipated duties of site personnel for the supervision and operation of the Facility are discussed below. The Facility will be operated under the direct supervision of a Facility operator licensed by the state.

Site Manager

The Facility or Site Manager shall be responsible for overall management and supervision of all site activities. This person shall ensure that the Facility is operated in accordance with all applicable regulations and permit requirements. All site personnel shall report directly or indirectly to the Site Manager.

Operations Manager

This employee will work directly under the Site Manager and will direct all waste placement, earthmoving, and cover operations. This person may also act as an Equipment Operator.

Equipment Operators

Equipment Operators shall be responsible for the operation of the waste spreading and compaction equipment as well as other equipment necessary for the covering, operation, and maintenance of the Facility. The number of operators will vary based on the amount of waste accepted at the Facility and the extent of any ongoing earthmoving operations. Additional operators and equipment from an outside contractor may be utilized to assist with construction activities.

Mechanics

At least one on-site mechanic will be employed to maintain and repair the Facility equipment. For major repairs, an outside mechanic may be utilized.

Office Personnel

A sufficient number of office personnel shall be retained on staff to handle all office duties including customer service, billing, payroll, and sales. A weighmaster will be on staff to operate the scales for incoming and outgoing waste delivery trucks. The weighmaster will direct trucks to the appropriate unloading area, screen loads, and accept manifests.

Laborers

A sufficient number of laborers shall be retained to perform miscellaneous tasks associated with the construction and maintenance of the Facility such as general upkeep and litter collection. Additional laborers may be retained on a temporary basis to address increases in workload.

EQUIPMENT

Facility construction and routine operations will generally be accomplished with the equipment listed in Table 1. Equipment capable of performing comparably to the listed equipment is expected to be maintained on site throughout the operational life of the Facility. Additional equipment will be leased or purchased as necessary. In addition, subcontractors may be hired to perform all or a portion of the Facility earthwork. The exact number and equipment type may vary depending on incoming waste volumes, current site construction, soil conditions and weather conditions.

Table 1
Typical Equipment List

2 Bulldozers	1 Service Truck
1 Waste Compactor	2 Haul Trucks
1 Soil Compactor	1 Water Truck
1 Loader	1 Street Sweeper
1 Excavator	Portable Light System
1 Grader	Other as necessary, i.e. Pumps, generators

HOURS OF OPERATION

CCDC will be allowed, at its discretion, to conduct Waste disposal between the hours of 5:30 a.m. until 5:30 p.m. Monday through Saturday, and on Sundays only as requested by CCDC and approved by Cumberland in its sole discretion. CCDC may conduct Waste disposal during the extended hours of 4:00 a.m. to 9:00 p.m. or any portion of time therein, subject to the approval of Cumberland at its sole discretion.

COVER PLAN

Daily Cover

The Facility will comply with all applicable state regulations pertaining to the placing of intermediate and final cover. The following generally describes these processes.

Pursuant to DEQ Regulations, a minimum of six inches of daily cover material or an approved alternative daily cover will be used. The selected daily cover will be placed over the active face at the end of each working day typically within 1 hour of receipt of the last load of waste. Alternate cover materials may be used only upon demonstration to the State that minimum daily cover performance standards will be met. If used, alternate daily cover materials will be placed so that they provide litter control, vector control, odor control, and minimize the threat of fires, all in a manner which meets or exceeds the performance of soil daily cover. The Facility operator will maintain a record of the alternate daily covers used, the weather, and performance evaluation. The operator will use only approved alternate daily covers in areas suitable for the cover. Examples of generally acceptable alternate materials include:

- Geotextile fabric;
- Polyethylene membranes;
- Plastic film;
- Non-woven geotextile fabric;
- Spunboard non-woven fabric;
- Slit-film woven fabric;
- Plastic emulsion;
- Composite geotextile / plastic membranes;
- Foundry sand;
- Tarps;
- Chipped or shredded tires;
- Chemical foam;
- Wood chips;
- Landscape waste or end product compost;
- Petroleum contaminated soil;
- Clean construction and demolition debris; and
- Polypropylene non-woven fabrics.

Removal of Daily Cover prior to Waste Placement

Daily cover in this section is defined as: a uniform layer of at least 6 inches of clean soil material. Removal of daily cover prior to waste placement will only occur during normal weather conditions. Removal of daily cover will not occur during periods of high winds or heavy precipitation. As the daily cover is removed, the daily cover soils will be stockpiled within areas that have a State approved certified liner.

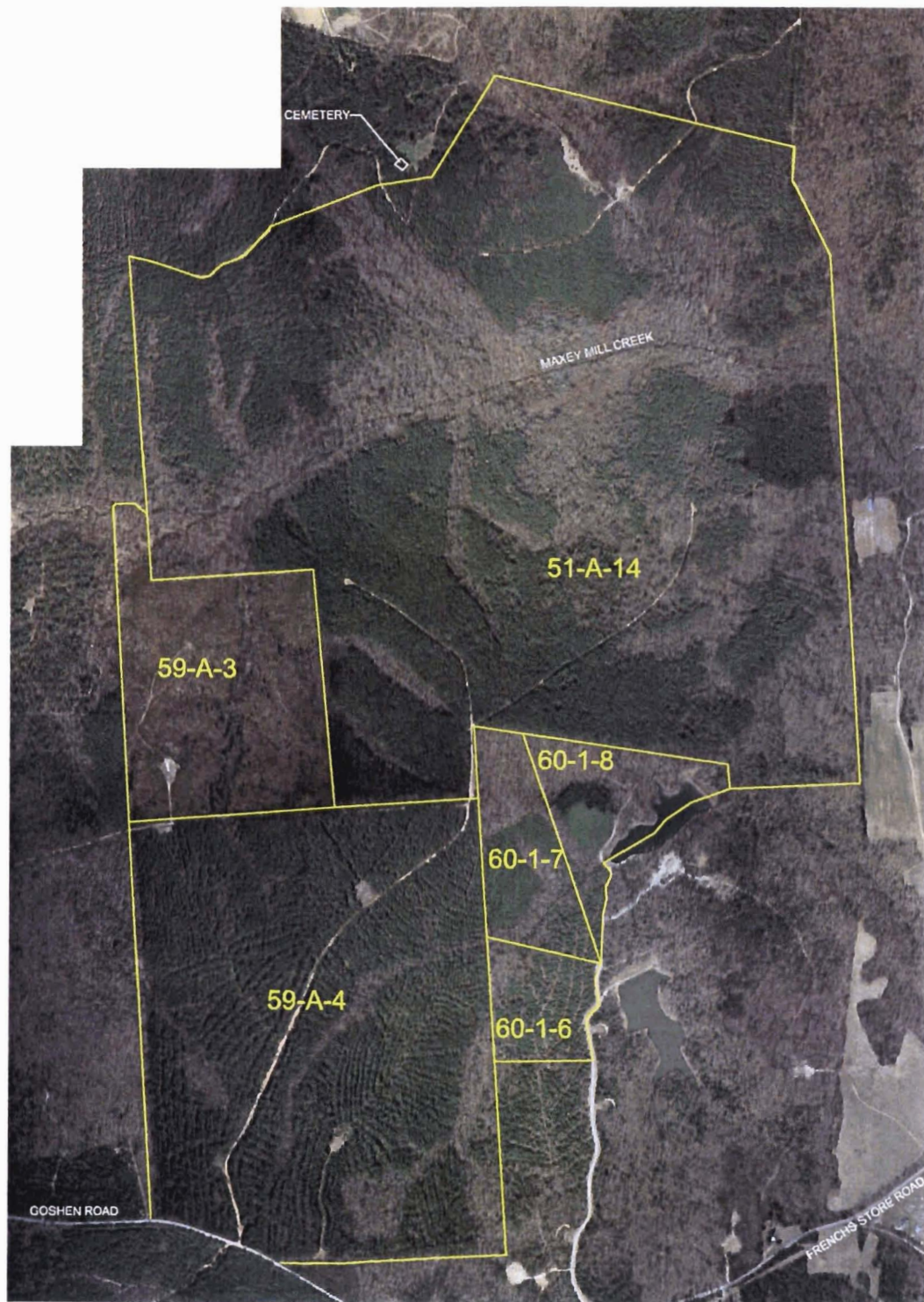
Intermediate Cover

Intermediate cover will be utilized on all areas not actively filled or receiving final cover placement within 60 days or more. Intermediate cover will be sloped to provide adequate drainage and prevent ponding of water. A minimum of one foot of soil will be placed on surfaces that require intermediate cover. Intermediate cover soils usually will be finer-grained material per the Unified Soil Classification System. The intermediate cover shall be repaired as necessary to maintain the required slopes and thickness.

Final Cover / Low Permeability Cap

The final cover system is designed to minimize infiltration of precipitation into the landfill, is able to support vegetative growth, provides for the control of landfill gas, and provides surface water drainage systems that protect the cover system.

The final cover design for the Facility will meet the requirements of all applicable DEQ regulations. After seeding, the final cover system will be maintained to prevent erosion from compromising the integrity of the cover system, and to prevent the roots of vegetative growth from penetrating the infiltration layer.



LEGEND

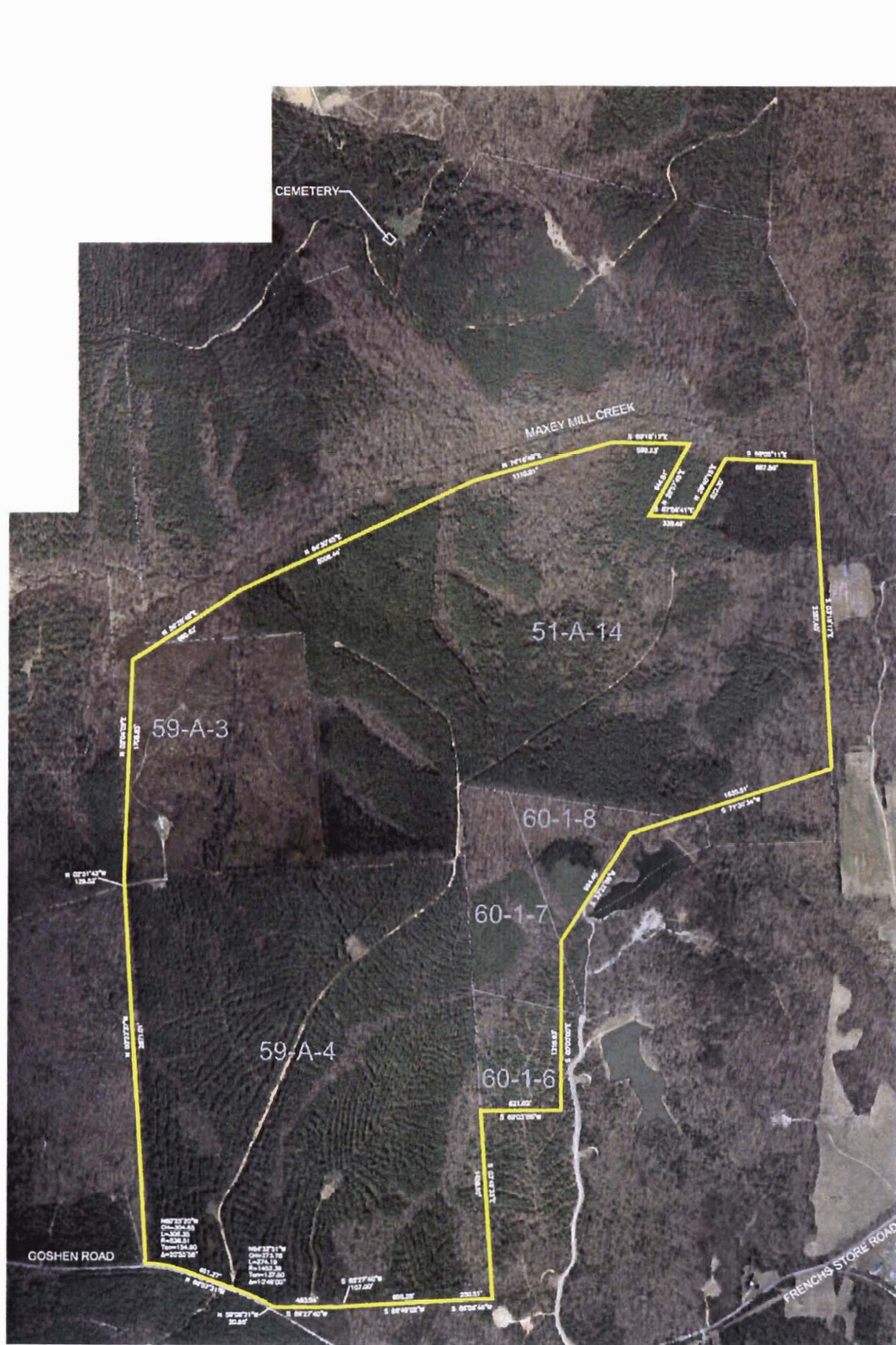
— PARCEL BOUNDARY

0 400 800
SCALE IN FEET

59-A-4 TAX MAP NUMBER

BROWN AND
CALDWELL

FIGURE 1
SUBJECT PROPERTY AND
EXISTING FEATURES



LEGEND

— CUP REZONING BOUNDARY

59-A-4 TAX MAP NUMBER

— PARCEL BOUNDARY

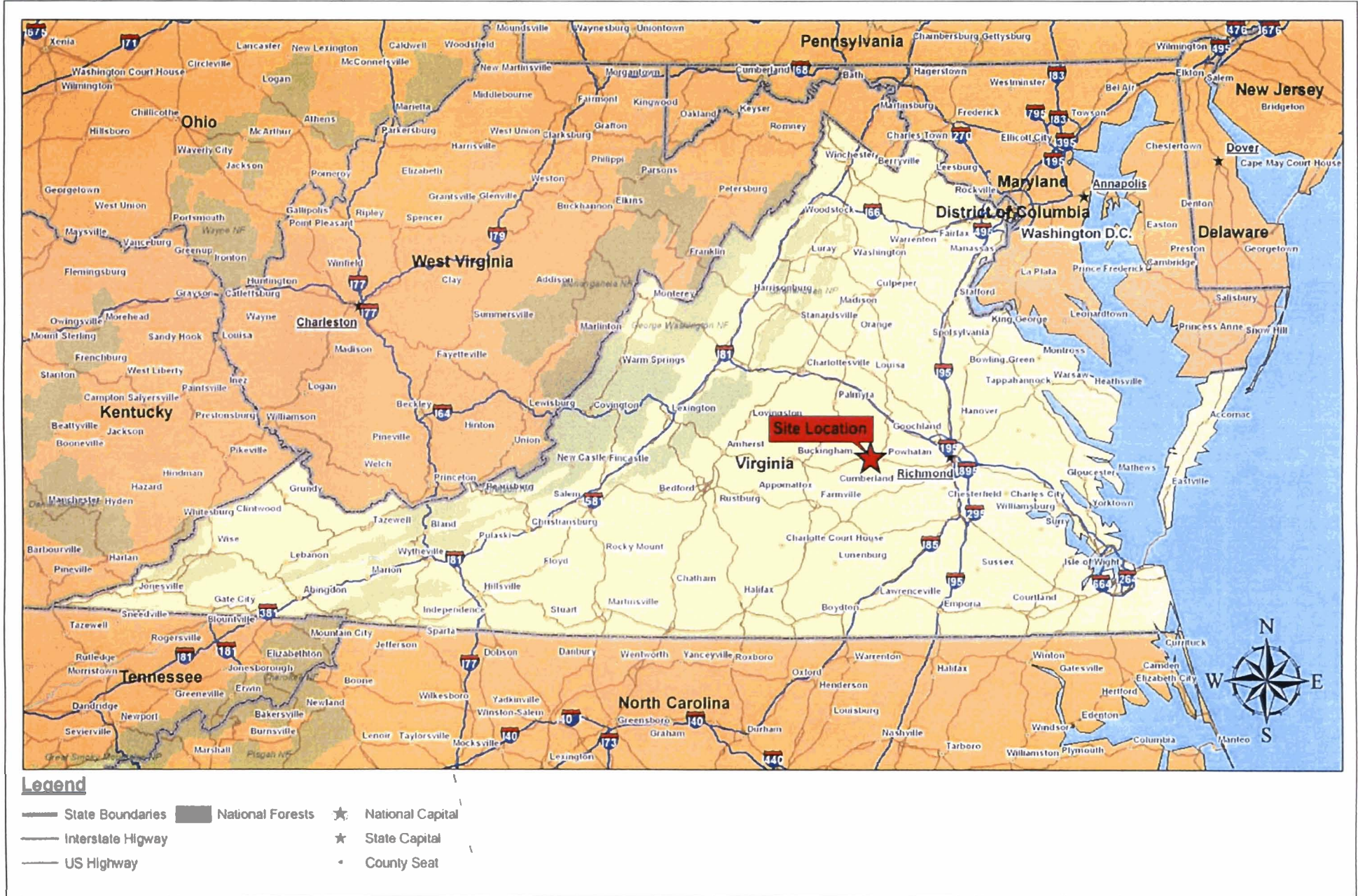
0 400 800
SCALE IN FEET

BROWN AND
CALDWELL

FIGURE 2
PROPERTY TO BE REZONED AND
SUBJECT TO CUP

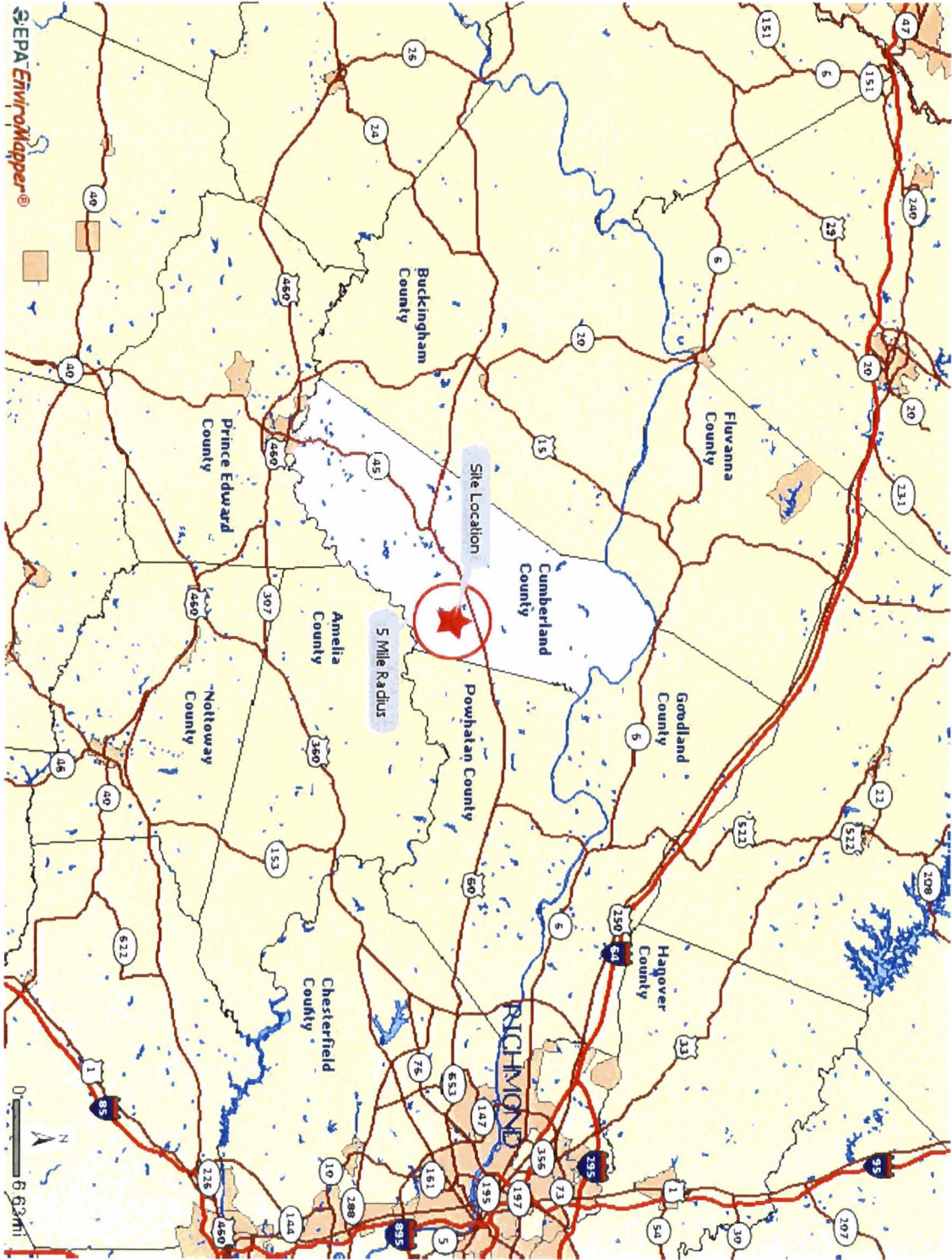


FIGURE 3 CONCEPTUAL FACILITY PLAN
Cumberland County
Development Company, LLC



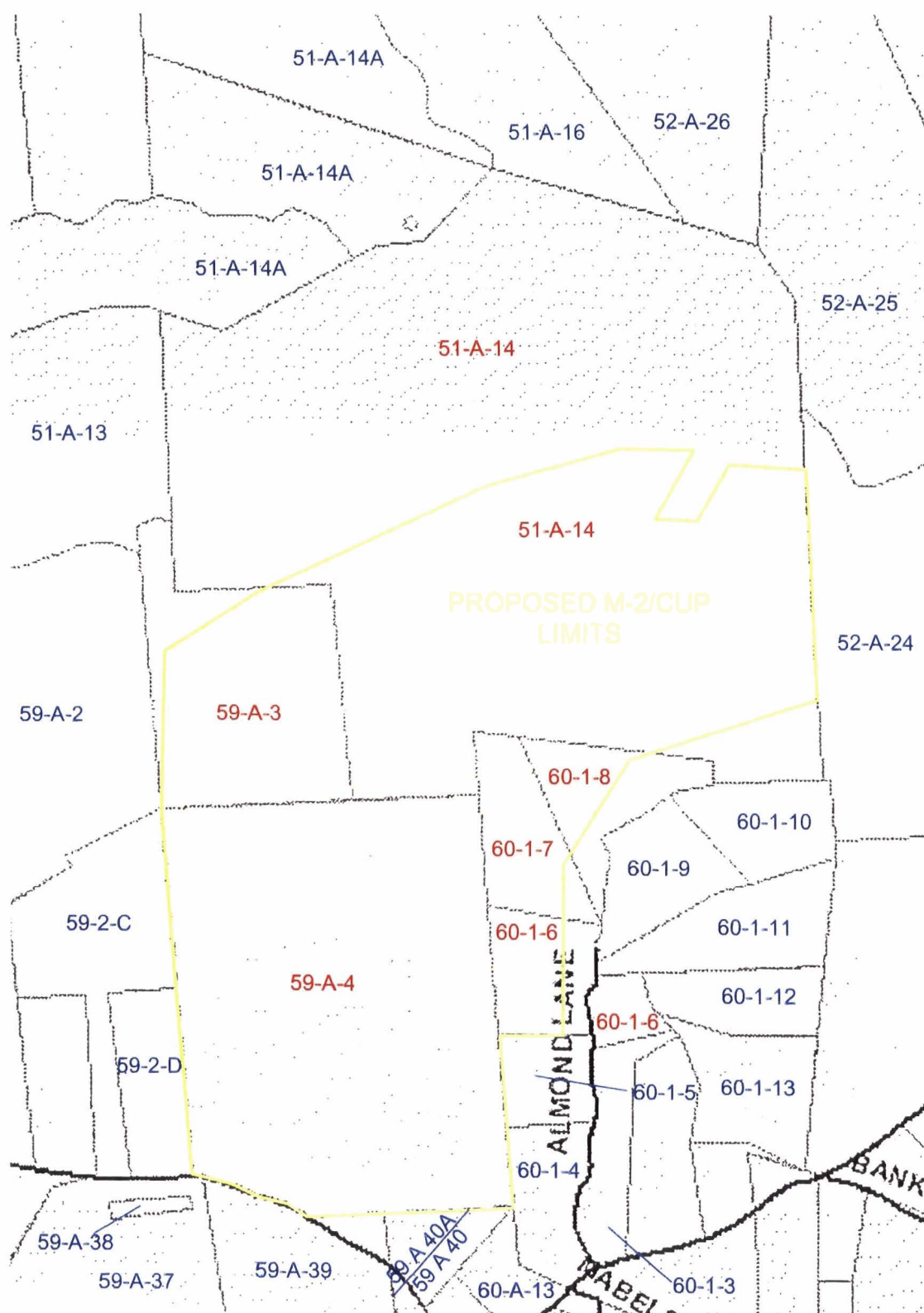
BROWN AND
CALDWELL

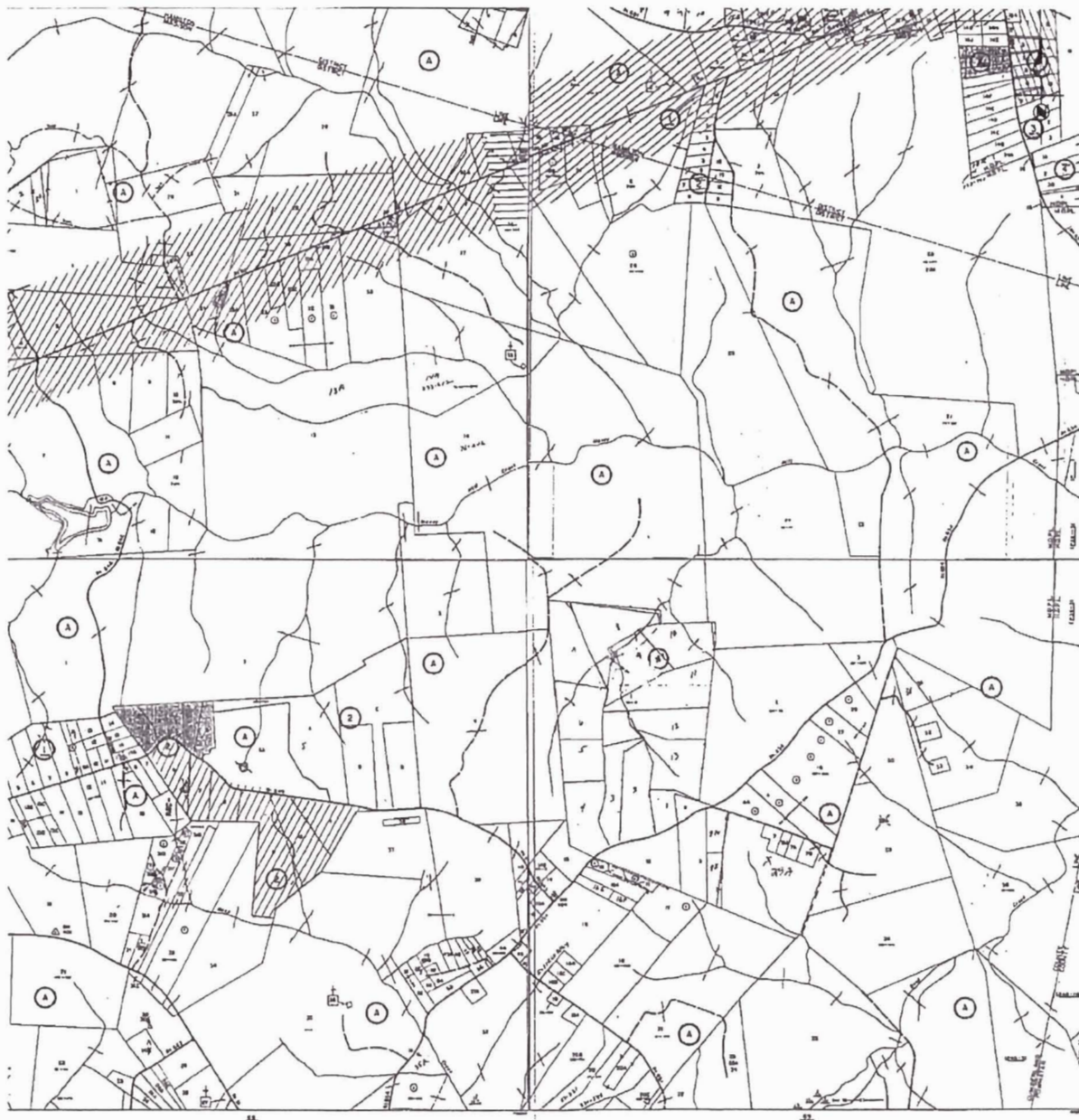
MAP A
REGIONAL LOCATION MAP



BROWN AND
CALDWELL

MAP B
COUNTY LOCATION MAP





51	52
59	60

TAX MAP KEY

LEGEND Residential Zoning Limits

NOTE: ZONING MAP PROVIDED BY CUMBERLAND COUNTY.

0 1800 3600
APPROXIMATE SCALE IN FEET

**BROWN AND
CALDWELL****MAP D
ZONING MAP**